

REMARKS

Claims 1-27 were pending in the application when last examined, of which Claims 6-27 are withdrawn from consideration and Claims 1-5 stand rejected. In the present response, Claim 1 is amended and Claim 5 is canceled. Reconsideration is respectfully requested based on the amendments and the following remarks.

Claim Rejections – 35 U.S.C. §103

Claims 1-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,936,844 to Yamazaki et al. (“Yamazaki”).

Claim 1 is patentable over Yamazaki because it recites “a second insulating layer disposed on the first signal line including a third contact hole ... and a fourth contact hole” This limitation is disclosed, for example, in FIG. 3 of the subject Application which shows a channel layer 112, a first signal line 114, a first insulating layer 113, and a second insulating layer 115. The second insulating layer 115 has two contact holes (i.e., the third and the fourth contact holes) that connect to the contact holes in the first insulating layer 113 and extend to the channel layer 112.

Yamazaki fails to disclose a second insulating layer. The Office Action reads Yamazaki’s insulating film 167 as corresponding to the “first insulating layer.” However, there is no “second insulating layer” that has contact holes connecting to the contact holes in the first insulating layer in Yamazaki’s structure.

Furthermore, Claim 1 is distinguishable from Yamazaki because it recites “a second signal line disposed on an upper surface of the second insulating layer” FIG. 3 of the subject Application, for example, shows the second signal line 116 disposed on the upper

surface of the second insulating layer 115. Yamazaki, which fails to disclose a second insulating layer, naturally fails to disclose a second signal line that is disposed on a surface of the second insulating layer. The Office Action reads Yamazaki's drain/source wiring 161/165 as corresponding to the "second signal line." Yamazaki's drain/source wiring are disposed on the first interlayer insulating film 157 but the first interlayer insulating film 157 cannot correspond to the "second insulating layer" because it does not have contact holes that connect with contact holes in the first insulating layer (167).

Moreover, Applicant submits that Yamazaki also fails to disclose "a first insulating layer disposed on the channel layer to insulate the first signal line from the channel layer" As shown in FIG. 3 of the subject Application, the first insulating layer 113 insulates the first signal line 114 from the channel layer 112. In contrast, Yamazaki's structure shows the first signal line (e.g., gate electrode 124) and the channel layer (channel forming regions 213, 214) as both being on the same side of the insulating film 167 [see Yamazaki, FIG. 4B]. Hence, the insulating film 167 does not fit the description of the "first insulating layer" recited in Claim 1.

Claims 2-4 depend from Claim 1 and are thus patentable over Yamazaki for all the reasons provided above.

Claim 5 is canceled.

Election/Restrictions

The Office Action of January 12, 2010 stated that Species I(a), which corresponded to Claims 1-5, is Generic to Group I [see page 5 of the Office Action mailed on January 12, 2010]. Hence, if Examiner finds Claims 1-4 presented above to be allowable, Applicant

requests examination of the remaining claims in Group I (namely Claims 13-15, 19-21, 25, and 26).

Conclusion

In view of the remarks set forth above, it is submitted that Claims 1-4 are now in condition for allowance. Authorization is given to charge any fees due or credit any overpayments in regard to this communication to deposit account 50-5029. If the Examiner has any questions or concerns, a telephone call to the undersigned at (408) 331-1672 is welcomed and encouraged.

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